



NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Applicant: Sean A. McCarthy

Serial No.: 09/009,802 Group: 1636

Filed: January 20, 1998 Examiner: David Guzo

Confirmation No.: 7895

For: NOVEL CRSP PROTEIN AND NUCLEIC ACID MOLECULES AND USES
THEREFOR

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CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

October 7, 2003

Date

Shannon Luis

Signature

Shannon Luis

Typed or printed name of person signing certificate

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated April 9, 2003 of the Primary Examiner finally rejecting Claims 61-88. The item(s) checked below are appropriate:

1. Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated April 9, 2003, for three months from July 9, 2003 to October 9, 2003.

2. A [] month extension of time to respond to the Office Action Made Final dated [] was filed on [] with payment of a \$[] fee.
 Applicant hereby petitions for an additional [] month extension of time to respond to the Office Action Made Final.

3. A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

10/10/2003 SSITHIB1 00000024 09009802 950.00 0P
01 FC:1253
10/10/2003 SSITHIB1 00000024 09009802 330.00 0P
02 FC:1401

4. Fees are submitted for the following:

[X] Extension of Time for three months	\$ <u>950</u>
[] Additional Extension of Time:	
Fee for Extension ([] mo.)	\$ _____
Less fee paid ([] mo.)	- \$ _____
Balance of fee due	\$ <u>0</u>
[X] Notice of Appeal	\$ <u>330</u>
[] Other _____	\$ _____
	TOTAL \$ <u>1280</u>

5. The method of payment for the total fees is as follows:

[X] A check in the amount of \$1280 is enclosed.

[] Please charge Deposit Account No. 08-0380 in the amount of \$[].

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

By Robert H. Underwood
Robert H. Underwood
Registration No.: 45,170
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: October 7, 2003